

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

**CR-07-108-GF-BMM-02**

Plaintiff,

vs.

TYLER REED STUMP,

Defendant.

**ORDER ADOPTING MAGISTRATE  
JUDGE'S FINDINGS AND  
RECOMMENDATIONS TO REVOKE  
DEFENDANT'S SUPERVISED RELEASE**

United States Magistrate Judge Johnston entered Findings and Recommendations in this matter on February 10, 2016. (Doc. 144.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 9, 2016. (Doc. 139.) Stump admitted that he violated conditions of his supervised release. The violations prove serious and warrant revocation of Stump's supervised release.

Judge Johnston recommends that the Court revoke Stump's supervised release.

Judge Johnston recommends that the Court sentence Stump to custody of the United States Bureau of Prisons for six months on Count I and six months on Count II, to run concurrently. Judge Johnston further recommends that no term of supervised release shall follow. (Doc. 144 at 6.)

Stump's criminal history translates into a criminal history category of I. Stump's underlying offenses qualify as Class C felonies. The Court could sentence Stump to a maximum of 24 months on each count. The Court could order Stump to remain on supervised release for up to 36 months on each count, less any custodial time imposed. The United States Sentencing Guidelines call for three to nine months in custody.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Stump's violations of his conditions of supervised release prove to be a serious breach of the Court's trust. A sentence of 6 months imprisonment on each count, to run concurrently, represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 144) is **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Tyler Reed Stump shall be sentenced to **six months custody on Count**

**I and six months on Count II, to run concurrently. No term of supervised release shall follow.**

DATED this 1st day of March, 2016.

A handwritten signature in blue ink that reads "Brian Morris".

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Brian Morris  
United States District Court Judge